

## Functions:

### Existing Data

- Prompts for strengths of the student
- Rtl information

### Reevaluation Decision

- Gives initial and anniversary date of evaluation and prompts the questions regarding the necessity of reevaluation information.

### Eligibility Area Selection

- Presents the new Rule 41 eligibility categories for selection

### Assessment Selection

- Identifies the information that is required for the educational evaluation based on the eligibility selected and other factors
- Permits additional selections to prepare for notice/consent

### Notice

- Collects the decision of the public agency and the rationale for that decision
- Creates a written notice / consent
- Records attempts to obtain consent
- Uploads signed consent

### Assessment Record

- Manages evaluation process
- Prints evaluation report

### Present Levels

- Prompts for present level
- Permits upload of external documentation

## Article 7 functions:

7-42-6(b)(1)	7-41-1
7-40-5(g)(2)(ii)(AA)	7-41-2
7-41-7(b)(4)	7-41-3
7-40-2	7-41-4
7-40-5(g)	7-41-5
7-40-5(f)	7-41-6
7-43-4(h)(8)	7-41-7
7-40-4(i)	7-41-8
7-40-4(l)	7-41-9
7-40-4(n)	7-41-10
7-40-8	7-41-11
7-42-4	7-41-12
7-42-2(a)	7-41-13
7-42-2(b)	

## Evaluation

Regardless of the purpose of the case conference, the first step is to examine existing information and data on the student.

The first tab asks for the strengths of the student and any information related to response to instruction or intervention.

There is the option to add progress monitoring data, either as text, as an external file upload, or from the sister Rtl technology which is currently under construction.

There is a spell check for each text box.

Save your work as you go for added assurance that your work will still be there even if the internet connection is interrupted.

In the case of an initial evaluation, the user is prompted to consider if the student failed to make adequate progress after being provided with scientific, research based interventions for an appropriate period of time. "Adequate progress" and "appropriate time" is best defined for the parent at the onset of the Rtl process. If the student made adequate progress or did not receive interventions for an appropriate period of time, the timeline will be set at 50 school days from the receipt of the consent. If the student failed to make progress after appropriate time, the 20 day timeline will be triggered.

The individual(s) designated to track these timelines will get alert messages to assist in the process of managing the production of the educational evaluation reports.

The screenshot shows a software interface with a top navigation bar containing tabs: Purpose, Evaluation (selected), Initiate, Eligibility, Outcomes, Goals, Provisions, Placement, and File. Below this is a sub-navigation bar with tabs: Existing Data (selected), Eligibility Area(s), Assessment Selection, Notice, Assessment Record, Present Levels, and Evaluation Report. The main content area has a light blue background and contains the following sections:

- Please describe the strengths of the student**: A text box with the placeholder text "Describe the strengths of the student here." and a small "ABC" icon with a checkmark.
- The student has failed to make adequate progress after an appropriate period of time when provided with scientific, research based interventions.**: Radio buttons for "Yes" and "No" (selected).
- Please describe the instructional strategies and Research-based interventions (if any) in which the student has participated including the student's response to this instruction or intervention.**: A text box with the placeholder text "Describe any instructional strategies here." and a small "ABC" icon with a checkmark.
- Progress Monitoring**: A sub-tab labeled "Attach File" is selected. Below it is a text box labeled "Progress Monitoring Data" and a small "ABC" icon with a checkmark.

# Evaluation

Purposes	<b>Evaluation</b>	Initiate	Eligibility	Outcomes	Goals	Provisions	Placement	File
Existing Data	<b>Reevaluation</b>	Eligibility Area(s)	Assessment Selection	Notice	Assessment Record	Present Levels	Evaluation Report	

Initial eligibility date: 7/13/2008  
Anniversary reevaluation date: 7/13/2011

A public agency must consider reevaluation for each student receiving special education and related services: (1) at least once every three years, however reevaluation need not occur if the parent and the public agency agree that it is unnecessary; (2) if the public agency determines, at any time during the three year cycle, that additional information is needed to address the special education or related services needs of the student; and (3) if the student's parent or teacher requests reevaluation. Reevaluation may occur not more than once a year, unless the parent and public agree otherwise

There is a need for reevaluation information to:

- ☐ Reestablish eligibility for special education and related services.
- ☐ Determine that the student is eligible for special education under a different or additional eligibility category.
- ☐ Inform the student's case conference committee of the student's special education and related service needs.

☒ There is no need for reevaluation information.

This page will always be presented. This is because the case conference committee may want additional assessment information at any time, regardless of the reevaluation schedule.

By asking if reevaluation information is needed at every meeting, the public agency has met the requirement of considering reevaluation at least once every three years.

If the case conference committee representative checks: "There is no need for reevaluation information", this decision will be recorded in the finalized document and there will be no further evaluation prompts. All remaining tabs will disappear except for "present levels" which is always required. Past evaluation reports will be available in the student record on the dashboard.

If it is determined that there is a need for reevaluation information, the specific reevaluation purposes is selected from the three listed. The assessments can be identified on the "assessment selection" page. If the public agency agrees with the testing request, a written notice can be produced at that time and parent consent can be secured.

If the public agency needs more time to consider the request, the written notice can be produced at a later time within the ten school day timeline.

Triggers will remind administrators of testing deadlines. The first option needs to be completed by the next annual conference while the other two reasons for reevaluation are due on the 50-school-day timeline.

A note on this page reminds the case conference committee that the public agency is not obligated to conduct reevaluations for the purpose of reestablishing eligibility more frequently than once per year.

The initial eligibility date is entered by the teacher at the time it is prompted or administrators will soon be given a tool to update initial eligibility dates in mass. This date is supposed to represent the first case conference committee meeting where it was determined that the student was eligible for special education services. This date would not change despite evaluation schedule or eligibility category adjustments.

# Evaluation

Purposes Evaluation Initiate Eligibility Outcomes Goals Pro

Existing Data Reevaluation Eligibility Area(s) Assessment Selection Notice A

Select the area(s) of eligibility

- |   |  |
|---|--|
| <input type="checkbox"/> Autism Spectrum Disorder | <input type="checkbox"/> Language Impairment                     |
| <input type="checkbox"/> Blind or Low Vision      | <input type="checkbox"/> Speech Impairment                       |
| <input type="checkbox"/> Cognitive Disability     | <input type="checkbox"/> Multiple Disabilities                   |
| <input type="checkbox"/> Deaf or Hard of Hearing  | <input type="checkbox"/> Other Health Impaired                   |
| <input type="checkbox"/> Deaf-Blind               | <input type="checkbox"/> Orthopedic Impairment                   |
| <input type="checkbox"/> Developmental Delay      | <input checked="" type="checkbox"/> Specific Learning Disability |
| <input type="checkbox"/> Emotional Disability     | <input type="checkbox"/> Traumatic Brain Injury                  |

Based on the identification of eligibility area(s), the assessments required in Rule 41 will be automatically checked on the "assessment selection" tab.

Additional assessments may be selected, but required assessments cannot be eliminated for initial evaluations. See the eligibility chart for the logic that drives this action.

Purpose Evaluation Initiate Eligibility Outcomes Goals Provisions Placement File

Existing Data Reevaluation Eligibility Area(s) Assessment Selection Notice Assessment Record Present Levels Evaluation Report

Select the areas that are to be investigated for this evaluation

- |   |   |
|---|---|
| <input type="checkbox"/> Individualized Family Service Plan   | <input type="checkbox"/> An assessment of functional literacy                   |
| <input type="checkbox"/> Development Assessment   | <input checked="" type="checkbox"/> <b>Motor and Sensory Abilities</b>          |
| <input type="checkbox"/> Cognition  | <input type="checkbox"/> Vision and hearing screening                           |
| <input checked="" type="checkbox"/> Academic Achievement  | <input type="checkbox"/> An assessment of functional vision                     |
| <input checked="" type="checkbox"/> Assessments of progress and interventions   | <input type="checkbox"/> An assessment of motor skills and sensory responses    |
| <input checked="" type="checkbox"/> An observation to document academic progress and behaviors in areas of difficulty           | <input type="checkbox"/> Motor Skills including travel skills                   |
| <input checked="" type="checkbox"/> <b>Functional Performance or Adaptive Behavior</b>  | <input type="checkbox"/> Report from optometrist or ophthalmologist             |
| <input type="checkbox"/> Assessment of functional skills or adaptive behavior across various environments from multiple sources | <input type="checkbox"/> Report from audiologist, otologist or otolaryngologist |
| <input checked="" type="checkbox"/> An assessment of emotional and behavioral functioning                                       | <input checked="" type="checkbox"/> Available Medical Information               |
| <input checked="" type="checkbox"/> A functional behavioral assessment  | <input checked="" type="checkbox"/> Available Mental Health Information         |
| <input type="checkbox"/> A systematic observation across various environments   | <input checked="" type="checkbox"/> Social and Developmental History            |
| <input checked="" type="checkbox"/> <b>Communication Skills</b>   | <input checked="" type="checkbox"/> SLD Certification                           |
| <input type="checkbox"/> Assessment of communication... in mode of student  | <input type="checkbox"/> Autism Checklist                                       |
| <input type="checkbox"/> An assessment of the student's receptive, expressive, pragmatic and social communication               | <input type="checkbox"/> Relevant discipline information                        |
| <input type="checkbox"/> Assessment of articulation, fluency, and voice   | <input type="checkbox"/> Age Appropriate Transition Assessments                 |
| <input type="checkbox"/> Observation of student's speech by an SLP  | <input type="checkbox"/> Other (Please describe below)                          |

Additional assessment areas may be added as appropriate. For a reevaluation, if it is found through reviewing existing data that there is not a need for new information in any of the assessment areas that are automatically checked here, these areas can be unchecked in preparation for the written notice of evaluation.

Please describe additional evaluation procedures if necessary:

Other important information that is required due to circumstances other than the selected disabilities will also be automatically checked. For example, the ISFP is required for First Steps Intake and Relevant discipline information is required for manifestation determinations.

# Evaluation



On the “Notice” tab, there are three actions.

The first action gives the public agency the opportunity to consider the request for testing and determine intention to conduct the evaluation or refusal to conduct the evaluation. Then there is a prompt to articulate the rationale for this decision.

The content from this page will print on the Notice of Initial Evaluation, Notice of initial Evaluation following Interventions, Notice of Evaluation, Notice of Evaluation Refusal, or Notice of Reevaluation depending on the circumstances.

The second tab collects the important dates for compliance monitoring. This is also the place to generate a consent for evaluation.

The consent document may be printed for signing or, if the signature pad is engaged, an electronic signature may be collected. If a hard copy is used, it can be scanned and uploaded for evidence of consent.

	Date	Means	Result
 	8/12/2008	visited home	vacant

The third action on this page permits the logging of these attempts to attain parental consent. This is particularly useful when pursuing the reevaluation of student whose parent is unresponsive to school communications.

## Evaluation

The assessment record page is used by the evaluation team members to record the assessment information as it is collected. By selecting the yellow “add item” button, information can be added as a memo, a file upload, or an ISTAR report.

For any assessment report that is added, the user must indicate which required assessment is fulfilled by the completion of this addition. As the assessments are added, the system will check them off as completed.

In this way, the evaluation team members can remotely complete their work and the effort can be managed through technology.

Once the appropriate information has been gathered, an evaluation team leader synthesizes the information into an evaluation report.

Name	Completed?
Academic Achievement	✓
Assessments of progress and interventions	✓
An observation to document academic progress and behaviors in areas of difficulty	
Available Medical Information	
Social and Developmental History	
SLD Certification	

Assessment History

The present levels is designed to be an open text box following a prompt that borrows wording from regulation. Even in the case where there is no new educational evaluation information to review, new present levels information is required.

In circumstances where the public agency has prescribed a form for personnel to use, the form can be completed and uploaded as a file attachment. Enter text in the present levels box that references these appendices.

Based on evaluation data, provide a statement of the student's present levels of academic achievement and functional performance, including how the student's disability affects the student's involvement and progress in the general education curriculum or for children in early childhood, participation in appropriate activities.

Uploaded Files

No Files Available

# Evaluation

Purpose Evaluation Initiate Eligibility Outcomes Goals Provisions Placement File

Existing Data Reevaluation Eligibility Area(s) Assessment Selection Notice Assessment Record Present Levels Evaluation Report

Upload File

## Uploaded Files

No Files Available

How To

In cases where the multidisciplinary team has been working on an educational evaluation report, the last tab of the evaluation section is the evaluation report. This page has been designed to allow one upload that contains the evaluation report which should reflect the findings and recommendations of the entire multidisciplinary team.



## Nonpublic Schools

Q: If a student attends a nonpublic school outside of the school corporation of legal settlement, who is responsible for conducting an evaluation?

A: IDEA '04 did not change a parent's right to request an evaluation for special education and related services from their school corporation of legal settlement, even if the student attends a nonpublic school outside of the corporation. A parent may request an evaluation from the school corporation where the non-public school is located and/or from their school of legal settlement

All students who are determined eligible for special education have the right to a free, appropriate public education (FAPE). However, the school district of legal settlement is the only agency that offers FAPE, or full public school services. The service plan is delivered by the school corporation serving the nonpublic school based on an agreement between the public agency and the nonpublic school.

## Initial Educational Evaluation

Q: There are now new requirements to present the parent with an explanation and rationale for proposed action prior to the initial CCC meeting. Isn't this "predetermination"?

A: No. The "Notice of Initial Findings and Proposed Action" is intended to provide the parent with a useful summary prior to the case conference committee meeting where the decision will be made. It is not a notice of eligibility determination but rather an explanation of information gathered in the evaluation process.

It is the role of the case conference committee, including the parent, to make the determinations based on the best information available to them. This notice is intended to give the parent an opportunity to mentally and emotionally prepare so as to participate optimally and meaningfully in the process.

## Consent to review existing data

Q: Is parental consent required to review existing data?

A: No. 34 CFR 300.300 (d)(1)(i)

## Reevaluation

Q: If additional testing is done to investigate the possibility of another eligibility category or a need for a related service, is this considered a reevaluation or an initial evaluation?

A: Comments in the Federal Register (p46640 FR) offer clarification that the initial evaluation happens prior to the student's eligibility determination. Once the student has obtained the status of being "eligible", all subsequent evaluation for any purpose is considered reevaluation.

Indiana has further defined reevaluation to address not only questions of reestablishing eligibility but also questions of different or additional disability areas and questions of educational need. Reevaluations to reestablish eligibility must be done by the next annual IEP meeting while reevaluations for other reasons have a 50 school day limit.

## Documenting Disability

Q: Often times, parents have been told by post-secondary organizations that they need to request an evaluation from the high school in order to have documentation of disability for post-secondary purposes. Is this correct?

A: Provided in the comments to the federal language is the assertion that public agencies are not required to conduct evaluations for children to meet the entrance or eligibility requirements of another institution or agency such as vocational rehabilitation or a college program. To do so would impose a significant cost that is not required by the Act, specifically 614(c)(5).

It is also not a requirement in Section 300.305(e)(3) for termination of eligibility due to graduating with a diploma or aging out.

Public Agencies are required to provide students with a Summary of Performance, a report that is available from the dashboard of ISTART7 based on information from a finalized IEP where the purpose of "exit from secondary" has been indicated.



## Timelines

**Q:** Please help me understand all these new timelines for evaluation.

**A:** First, be consoled in appreciating your good fortune in using a tool that has the timelines and reminders built in based on the choices and circumstances indicated.

Second, be encouraged by the emphasis on the value of progress monitoring data, the expectation of team collaboration, and the intention to reduce clerical burden.

Parents can request an initial evaluation or reevaluation at any time. Even if they do not use the magic jargon of special education, it will be expected that schools will record the date that the parent expressed concern of this nature.

Within 10 school days of this date, the school is to provide to the parent a notice that includes an explanation of the evaluation proposal. There are cases where the school may determine that they do not intend to conduct an evaluation, like if it is the second request in one year for a reevaluation to reestablish eligibility.

A school may also offer an intervention plan to be implemented in the general education setting in lieu of an imminent evaluation. The parent may prefer to avoid a label of special education and permit a dedicated effort in the general classroom to correct the academic or behavioral difficulty with early intervention.

Once the consent for evaluation is provided to the parents, they can sign it immediately or never, so there is some uncertainty in the timeline at this point.

If the school prepares a notice of reevaluation and the parent is unresponsive despite multiple documented attempts to get consent, the school can proceed with the reevaluation. However, an initial evaluation cannot proceed without the written consent of the parent.

When the parent provides the school with written consent to proceed with the proposal as articulated on the Notice of Evaluation, the timer measures the time until the CCC meets to review the evaluation results. This is an important timeline that will be monitored by the state and will be used to judge the quality of special education programs.

If the student has been provided with scientific, research-based interventions for an adequate period of time AND has failed to make progress, the initial evaluation must be completed and the CCC convened within 20 school days. The Rtl process should produce useful and practical information that will simplify the eligibility investigation.

If either one of the above conditions are not satisfied, the evaluation timeline is 50 school days. This is the same timeline as reevaluation for any reason other than to reestablish eligibility. It is also the same timeline for an early childhood evaluation if the child did not participate in First Steps.

If the purpose of the reevaluation is to reestablish eligibility, this is typically determined at an annual IEP meeting with completion required by the next annual IEP meeting.

If the student is transitioning from Part C (First Steps) to the public schools, then all of this must be done in time for the child to be receiving services by the third birthday. Eligibility and service determinations could be based on the data from the IFSP with any additional data needs being treated like reevaluation following placement.

Parents can request a copy of the educational evaluation report and a meeting up to 5 school days in advance of the CCC meeting to review the results.

Remember, timelines are based on the dates that notices are provided and the dates of the CCC meetings when data is presented. The date that any particular test was given or completed of no significance to compliance monitoring.

### Timelines

Q: Regarding the 20 or the 50 day timeline, how do we determine if the student has been provided with scientific, research-based interventions for an appropriate period of time? Who decides if the student has failed to make adequate progress?

A: Since there currently is no definition of these terms provided in regulations or in guidance documents, one recommendation is that schools prepare a Notice of Educational Intervention.

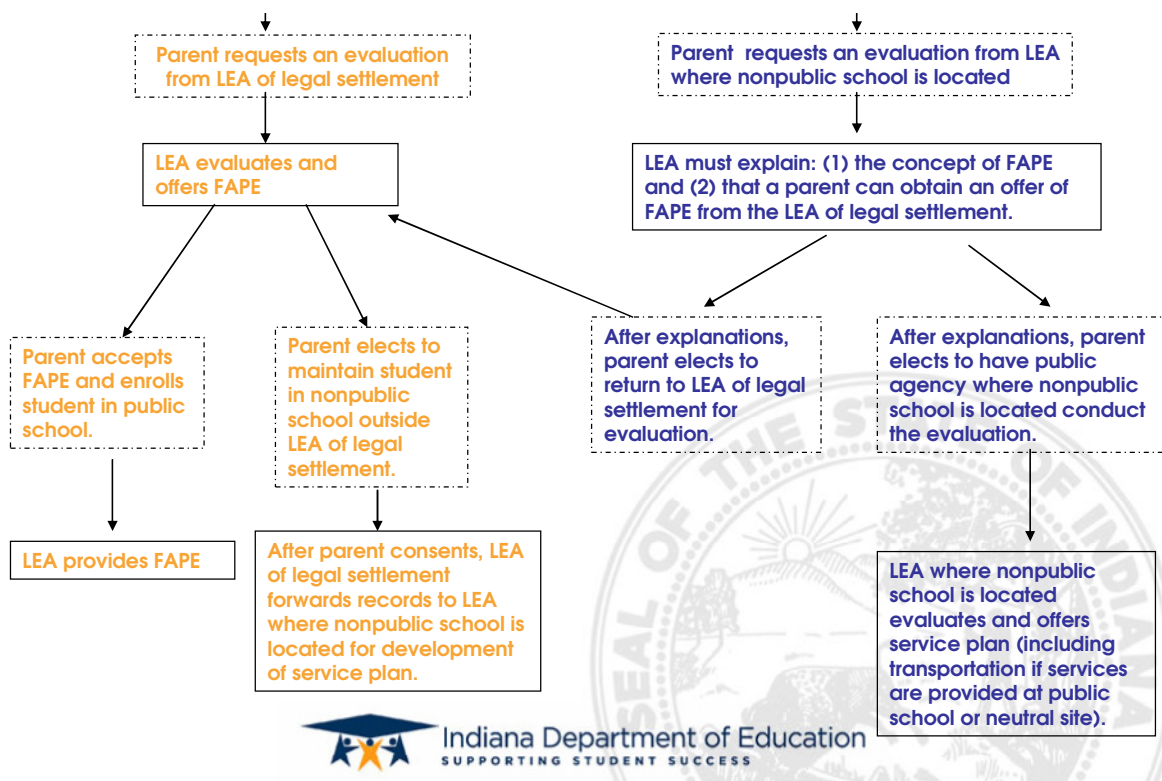
This document would be used at the point of discussing a potential evaluation in the case that the parent agrees to more intensive interventions in the general education classroom rather than moving ahead with an evaluation. In this agreement, “adequate progress” and “appropriate time” should be defined in objective, measurable terms as appropriate to the student and school procedures. If the “appropriate time” is defined as at least 30 school days, the net total remains at 50 days or more with the added benefit of perhaps addressing a correctable problem without labeling the student.

This is not an example of a document that requires consent although it is a useful tool to document an understanding with parents of students who continue to be served in the general education setting. Although not required, some school districts will also provide parents with the Notice of Procedural Safeguards just for informational purposes.



## Evaluation

**What are the possible circumstances for an evaluation request on behalf of a student who attends a nonpublic school served by a different public agency?**



Indiana Department of Education  
SUPPORTING STUDENT SUCCESS

### Record Review... the “Psych Report”

- Q: In our school system, we have a tradition of producing a large document containing a review of all evaluation information for every student every three years. Is this still required?
- A: It never really was. There are a number of interpretations of what it meant to review existing data, but the new regulations make it clear that “a record review” is not required prior to determining if a reevaluation is necessary.

Think of reviewing existing data as a continuous process rather than a single event. Certainly the CCC should look over the existing data to arrive at an informed agreement as to what additional data, if any, are needed. Additionally, the first step in reevaluation is to consider the data that has already been collected. However, it is the educational evaluation report that is the required product and this report should intelligently address all known information. Incidentally, consent is not required to review existing data.

### Documenting Disability

- Q: Where can a student get an evaluation for post-secondary purposes such as a college program?
- A: Since neither the high school or the post-secondary school is required to conduct or pay for a new evaluation to document disability and related needs, the student may have to find funding to pay an appropriate professional for an evaluation.

Since a Summary of Performance is now required as a condition of exiting secondary education, the student should first investigate if this report is adequate for the intended post-secondary purposes.

State vocational rehabilitation agencies may provide evaluations at no cost to the student. To locate vocational rehabilitation offices, go to: <http://www.in.gov/fssa/ddrs/4938.htm>